IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of	Docket No: Q63036
Hiroshi KAMIYA	
Appln. No.: 09/782,017	Group Art Unit: 3627
Confirmation No.: 3808	Examiner: Maria Teresa T. THEIN

Filed: February 14, 2001

For: COMMODITY ORDER ISSUING AND ACCEPTING METHOD, SYSTEM THEREOF, AND COMMODITY ORDER ACCEPTING APPARATUS
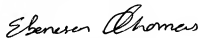
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Respectfully submitted,

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Date: September 15, 2008

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APPEAL BRIEF UNDER 37 C.F.R. § 41.37

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Sir:

In accordance with the provisions of 37 C.F.R. § 41.37, Appellant submits the following:

Table of Contents

I.   REAL PARTY IN INTEREST

The real party in interest in the appeal is NEC Corporation, of Tokyo, Japan, the assignee.

II.   RELATED APPEALS AND INTERFERENCES

To the best of the knowledge and belief of Appellant, Appellant's legal representatives, and the Assignee, there are no other appeals or interferences that will directly affect or be affected by the Board's decision in the present Appeal.

III.   STATUS OF CLAIMS

Claims 1-47 are the claims pending in the present application and stand finally rejected.

Claims 1-47 are the subject of this appeal.

IV.   STATUS OF AMENDMENTS

There were no Amendments submitted subsequent to the Final Office Action dated January 8, 2008. The Response under 37 C.F.R. § 1.116 filed April 4, 2008 is believed to be of record.

V.   SUMMARY OF THE CLAIMED SUBJECT MATTER

The claimed invention relates to a commodity order issuing and accepting method, a system thereof, and a commodity order accepting apparatus, and in particular, to those using the Internet. Specification, page 1, lines 5-7.

In a conventional commodity order issuing and accepting system, when an order issuer inputs a commodity name and its quantity, the price is automatically determined. Thus, the order accepter side cannot effectively use the commodity order issuing and accepting system to facilitate the cash flow of the order accepter side. Specification, page 1, lines 11-15.

In view of the foregoing, an objective of the claimed invention is to provide a commodity order issuing and accepting method, a system thereof, and a commodity order accepting apparatus thereof that facilitate the cash flow on the order accepter side. Further, the claimed invention allows the order accepter side to prompt the order issuer side to designate an early payment date so as to facilitate the cash flow on the order accepter side.

The subject matter of each independent claims with reference to specification are identified below.

1. A commodity order issuing and accepting method, comprising:

providing an order issuing device (order issuer's terminal unit 20, FIG. 1) capable of electronic communications; (*see* page 4, line 17 - page 5, line 3)

providing an order accepting device (commodity order accepter unit 30) capable of electronic communications; (*see* page 5, lines 4 - 11)

requesting a first electronic document (HTML document A, FIG. 2 and FIG. 3) comprising first input fields for accepting order issuer information and for accepting commodity order issuance information except for an order issuer's payment date from said order accepting device; (*see* page 5, lines 12 - 14 and page 6, lines 9-10)

transmitting said first electronic document to said order issuing device; (*see* page 6, lines 10-11)

inputting said order issuer information and said commodity order issuance information except for said order issuer's payment date into said first input fields on said order issuing device; (*see* page 6, lines 12-16)

transmitting said order issuer information and said commodity order issuance information except for said order issuer's payment date to said order accepting device; (*see* page 6, lines 16-21)

retrieving a transaction condition corresponding to said commodity order issuance information on said order accepting device; (*see* page 6, lines 16-21)

transmitting a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date to said order issuing device; (*see* page 7, line 11 - page 8, line 8)

inputting said order issuer's payment date into said second input field on said order issuing device; and (*see* page 8, lines 10-11)

7

transmitting said order issuer's payment date to said order accepting device, (*see* page 8, lines 11-15).

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date (*see* page 8, line 19 - page 9, line 2).

4. A commodity order issuing and accepting system (order issuer's terminal unit 20, FIG. 1), comprising:

means for requesting (order issuer's terminal unit 20, FIG. 1) a first electronic document (HTML document A, FIG. 2 and FIG. 3) having first input fields for order issuer information and for commodity order issuance information except for an order issuer's payment date from an order issuer side to an order accepter side; (*see* page 5, lines 12 - 14 and page 6, lines 9-10)

means for transmitting (commodity order accepter unit 30, FIG. 1) said first electronic document from said order accepter side (commodity order accepter unit 30, FIG. 1) to said order issuer side (order issuer's terminal unit 20, FIG. 1); (*see* page 6, lines 10-11)

means for inputting (order issuer's terminal unit 20, FIG. 1) said order issuer information and said commodity order issuance information except for said order issuer's payment date to said first input fields on said order issuer side; (*see* page 6, lines 12-16)

means for transmitting (order issuer's terminal unit 20, FIG. 1) said order issuer information and said commodity order issuance information except for said order issuer's payment date from said order issuer side to said order accepter side; (*see* page 6, lines 16-21)

means for retrieving (commodity order accepter unit 30) a transaction condition corresponding to said commodity order issuance information on said order accepter side; (*see* page 6, lines 16-21)

means for transmitting (commodity order accepter unit 30, FIG. 1)a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date from said order accepter side to said order issuer side; (*see* page 7, line 11 - page 8, line 8)

means for inputting (order issuer's terminal unit 20, FIG. 1) said order issuer's payment date to said second input field on said order issuer side; and (*see* page 8, lines 10-11)

means for transmitting (order issuer's terminal unit 20, FIG. 1) said order issuer's payment date from said order issuer side to said order accepter side, (*see* page 8, lines 11-15)

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date (*see* page 8, line 19 - page 9, line 2).

7. A commodity order accepting apparatus (commodity order accepter unit 30), comprising:

means for receiving (commodity order accepter unit 30, FIG. 1) a request for a first electronic document (HTML document A, FIG. 2 and FIG. 3) having first input fields for order issuer information and for commodity order issuance information except for an order issuer's payment date from an order issuer side, (*see* page 5, lines 12 - 14 and page 6, lines 9-10)

means for transmitting (commodity order accepter unit 30, FIG. 1) said first electronic document to said order issuer side; (*see* page 6, lines 10-11)

means for receiving (commodity order accepter unit 30, FIG. 1) said order issuer information and said commodity order issuance information except for said order issuer's payment date which have been input to said first input fields on said order issuer side from said order issuer; (*see* page 6, lines 16-21)

means for retrieving (commodity order accepter unit 30, FIG. 1) a transaction condition corresponding to said commodity order issuance information; (*see* page 6, lines 16-21)

means for transmitting (commodity order accepter unit 30, FIG. 1) a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date to said order issuer side; (*see* page 7, line 11 - page 8, line 8)

means for receiving (commodity order accepter unit 30, FIG. 1) said order issuer's payment date which have been input to said second input field on said order issuer side from said order issuer side, (*see* page 8, lines 10-15)

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date (*see* page 8, line 19 - page 9, line 2).

10. A commodity order accepting apparatus (commodity order accepter unit 30), comprising:

a receiving module for receiving communications from an order issuing device;

a transmitting module for transmitting communications to the order issuing device; and

a retrieving module, (commodity order accepter unit 30, FIG. 1)

wherein the receiving module, the transmitting module and retrieving module are configured such that:

when the receiving module receives a request for a first electronic document comprising first input fields for accepting order issuer information and for accepting commodity order issuance information except for an order issuer's payment date from an order issuing device, the transmitting module transmits said first electronic document to said order issuing device, (*see* page 5, lines 12 - 14 and page 6, lines 9-11)

when the receiving module receives said order issuer information and said commodity order issuance information except for said order issuer's payment date from said order issuing device, the retrieving module retrieves a transaction condition corresponding to said commodity order issuance information and the transmitting module transmits a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date to said order issuing device (*see* page 6, line 10 - page 8, line 8),

the receiving module receives said order issuer's payment date from said order issuing device, and (*see* page 8, lines 10-15)

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date (*see* page 8, line 19 - page 9, line 2).

37. A commodity order issuing and accepting method, comprising:

providing an order issuing device capable of electronic communications; (*see* page 4, line 17 - page 5, line 3)

providing an order accepting device capable of electronic communications; (*see* page 5, lines 4 - 11)

requesting a first electronic document comprising first input fields for accepting order issuer information comprising information about an order issuer, and for accepting commodity order issuance information except for said order issuer's payment date from said order accepting device; (*see* page 5, lines 12 - 14 and page 6, lines 9-10)

transmitting said first electronic document to said order issuing device; (*see* page 6, lines 10-11)

inputting said order issuer information and said commodity order issuance information except for said order issuer's payment date into said first input fields on said order issuing device; (*see* page 6, lines 12-16)

transmitting said order issuer information and said commodity order issuance information except for said order issuer's payment date to said order accepting device; (*see* page 6, lines 16-21)

retrieving a transaction condition corresponding to said commodity order issuance information on said order accepting device; (*see* page 6, lines 16-21)

transmitting a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date to said order issuing device; (*see* page 7, line 11 - page 8, line 8)

inputting said order issuer's payment date into said second input field on said order issuing device; (*see* page 8, lines 10-11)

transmitting said order issuer's payment date to said order accepting device, and (*see* page 8, lines 11-15).

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date (*see* page 8, line 19 - page 9, line 2).

Dependent claims argued separately

2. The commodity order issuing and accepting method as set forth in claim 1, further comprising:

calculating a reduced price corresponding to said transaction condition and said order issuer's payment date on said order accepting device. (*see* page 8, line 19 - page 9, line 2 and page 11, lines 9-17).

5. The commodity order issuing and accepting system as set forth in claim 4, further comprising:

means for calculating (commodity order accepter unit 30, FIG. 1)a reduced price corresponding to said transaction condition and said order issuer's payment date on said order accepter side. (*see* page 8, line 19 - page 9, line 2 and page 11, lines 9-17).

VI.   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether claims 1, 4, 7, 10 and 13-42 are properly rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,578,014 to Murcko, Jr. (hereinafter "Murcko") in view of U.S. Patent No. 4,926,325 to Benton et al. (hereinafter "Benton").

2. Whether claims 2-3, 5-6, 8-9 and 11-12 are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Murcko and Benton in view of U.S. Patent No. 6,314,406 to O'Hagan (hereinafter "O'Hagan").

3. Whether claims 43-47 are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Murcko and Benton in view of O'Hagan, and further in view of U.S. Patent No. 6,405,174 to Walker et al. (hereinafter "Walker").

VII.   ARGUMENT

1. The rejections of claims 1, 4, 7, 10 and 13-42 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,578,014 to Murcko, Jr. in view of U.S. Patent No. 4,926,325 to Benton et al.

Appellant respectfully request the members of the Boards to reverse the aforementioned

rejections of claims 1, 4, 7, 10 and 13-42 under 35 U.S.C. § 103(a) as allegedly being

unpatentable over Murcko in view of Benton. Appellant disagrees with the Examiner's rejection

because cited references fail to disclose or suggest all of the claim limitations.

Claims 1, 4, 7, 10 and 37

Murcko and Benton do not disclose a formula for calculating a payment price based on said order issuer's payment date.

Independent claims 1, 4, 7, 10 and 37 require among other limitations, "wherein said

second electronic document comprises a formula for calculating a payment price based on said

order issuer's payment date." The Examiner asserts that Benton discloses this limitation recited

in the independent claims at column 16, lines 58-61, FIG. 17, ref. no. 1714, column 27, line 59-

column 28, line 14, column 29, lines 15-21 and column 29, lines 47-50. Appellant respectfully

disagrees.

Murcko relates a method and apparatus for a commercial network system designed to

facilitate transactions for which a buyer determines the price he or she pays after receiving the

information, goods, and/or services from a seller (column 3, lines 41-46). Murcko shows in FIG.

5, an item database 500 in which payment date 516 stores the date on which the buyer assigns

16

the payment amount for the item (column 16, lines 59-61). Moreover, Murcko discloses a standard form for buyers to make item request 1700 (FIG. 17).

According to Murcko:

(i) a buyer can optionally provided guidance about what payment they might be willing to pay for the desired item; (column 27, lines 65-67)

(ii) the buyer can specify one cutoff percentile for sellers providing items; and (column 28, lines 1-6)

(iii) the buyer is able to make item requests to specific sellers (i.e., the buyer can only choose among sellers who are willing to accept item requests from the buyers who meet the sellers requirements such as the buyer having an average payment of at least a certain amount). (column 28, lines 7-13).

In contrast, the claimed invention requires a formula for calculating a payment price based on said order issuer's payment date. In particular, Murcko merely discloses that the buyer provides the payment amount that they might be willing to pay for an item (column 27, lines 65-67) and does not disclose a formula used for calculating the payment amount (the claimed payment price) based on payment date.

On page 8, lines 11-13 of the Final Office Action dated January 8, 2008, the Examiner asserts that "in column 27, lines 49-56, the buyer can specify an item request such as the buyer indicating that he/she is willing to or an approximate amount or he/she can split between sellers". Appellant respectfully submits again that Murcko merely discloses that the buyer can indicate an

approximate amount that they are willing to pay. However, this does not disclose or remotely

suggest a **formula** for calculating the payment price **based on the issuer's payment date**.

Furthermore, even if, *assuming arguendo*, Murcko discloses the buyer and sellers having

the ability to optionally transact through traditional protocols such as auction or negotiation

(column 29, lines 47-50), Murcko still fails to disclose a formula calculating a payment price

base on the payment data. That is, Murcko showing the ability to transact through auction or

negotiation, does not, explicitly or implicitly, disclose a formula used for calculating the payment

price based on a payment date.

Furthermore, in page 9, lines 6-8 of the January 8, 2008 Final Office Action, the

Examiner asserts that "the buyer sets the payment amount for an item, date and time appears and

buyer has a predetermined period of time in which to make a payment." Applicant respectfully

submits that even if, *assuming arguendo*, Murcko discloses the Examiners assertion noted above,

it still does not disclose a formula that calculates the payment prices based on the issuer's

payment date.

For example, according to an exemplary non-limiting embodiment of the claimed

invention, a reduced price can be calculated by the formula:

i) Reduced price = (1 - (due payment date - **order issuer's payment date**) / (due payment

date - delivery date) x maximum discount rate) x regular price;

--or--

18

ii) Reduced price = (1 - ((due payment date - **order issuer's payment date**) / (due

payment date - delivery date))2 x maximum discount rate) x regular price. (page 11, lines 8-16).

That is, according to the claimed invention, the order issuer's payment date is used as a

variable in the formula for calculating a reduced price. On the contrary, Murcko neither

discloses a formula nor any correlation between the payment price and the order issuer's

payment data. That is, Murcko appears to disclose that the buyer sets a desired price to pay

independent of a payment date and not based on the payment date. Therefore, Murcko does not

a formula for calculating a payment price based on said order issuer's payment data.

Benton, O'Hagan and Walker also do not disclose "wherein said second electronic

document comprises a formula for calculating a payment price based on said order issuer's

payment date". At least for this deficiency, the rejection of independent claims 4, 7, 10 and 37 as

being unpatentable over Murcko and Benton.

Claims 13-36 and 38-42

Appellant submit that claims 13-36 and 38-42 depend from one of the independent

claims, and therefore these claims are also allowable at least by virtue of their dependency.

**2. The rejections of claims 2-3, 5-6, 8-9 and 11-12 under 35 U.S.C. § 103(a) as being
unpatentable over Murcko and Benton in view of U.S. Patent No. 6,314,406 to O'Hagan.**

Claims 2-3, 5-6, 8-9 and 11-12

Appellant submit that claims 2-3, 5-6, 8-9 and 11-12 depend from one of the independent

claims, and therefore these claims are also allowable by at least by virtue of its dependency.

Murcko, Benton and O'Hagan do not disclose calculating a reduced price corresponding to said transaction condition and said order issuer's payment date on said order accepting device.

Claim 2 and 5 recite, among other things, "calculating a reduced price corresponding to said transaction condition **and said order issuer's payment date on said order accepting device**." The Examiner concedes that Murcko and Benton do not explicitly disclose the calculating reduced price corresponding the transaction condition, but asserts that O'Hagan discloses calculating a reduce price corresponding to the transaction condition (column 21, lines 15-16, FIG. 32, column 23, lines 42-52; column 28, lines 45-50; column 32, lines 1-3). However, the Examiner does not address all the limitations of claims 2 and 5. Specifically, the Examiner fails to indicate where O'Hagan discloses "calculating a reduced price corresponding to … **said order issuer's payment date on said order accepting device**."

Appellant respectfully submit that O'Hagan merely discloses that the confirmation page includes information relating to the product price, product availability, coupons, discounts, terms on coupons/discounts etc. (column 21, lines 11-19). However, O'Hagan does not disclose "calculating a reduced price corresponding to … **said order issuer's payment date on said order accepting device.**"

3. The rejections of claims 43-47 under 35 U.S.C. § 103(a) as being unpatentable over Murcko and Benton in view of O'Hagan and further in view of Walker.

Appellant submit that claims 43-47 depend from one of the independent claims, and therefore these claims are also allowable by at least by virtue of its dependency.

Unless a check is submitted herewith for the fee required under 37 C.F.R. §41.37(a) and

1.17(c), please charge said fee to Deposit Account No. 19-4880.

The USPTO is directed and authorized to charge all required fees, except for the Issue

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Respectfully submitted,

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WASHINGTON OFFICE

23373

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Date: September 15, 2008

CLAIMS APPENDIX

CLAIMS 1-47 ON APPEAL:

1. A commodity order issuing and accepting method, comprising:

providing an order issuing device capable of electronic communications;

providing an order accepting device capable of electronic communications;

requesting a first electronic document comprising first input fields for accepting order issuer information and for accepting commodity order issuance information except for an order issuer's payment date from said order accepting device;

transmitting said first electronic document to said order issuing device;

inputting said order issuer information and said commodity order issuance information except for said order issuer's payment date into said first input fields on said order issuing device;

transmitting said order issuer information and said commodity order issuance information except for said order issuer's payment date to said order accepting device;

retrieving a transaction condition corresponding to said commodity order issuance information on said order accepting device;

transmitting a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date to said order issuing device;

inputting said order issuer's payment date into said second input field on said order issuing device; and

transmitting said order issuer's payment date to said order accepting device,

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date.

2. The commodity order issuing and accepting method as set forth in claim 1, further comprising:

calculating a reduced price corresponding to said transaction condition and said order issuer's payment date on said order accepting device.

3. The commodity order issuing and accepting method as set forth in claim 2, further comprising:

transmitting a third electronic document on which said reduced price is described and which has means for inputting an authentication to said order issuing device;

activating said means for inputting the authentication on said order issuing device; and

transmitting information representing that said means for inputting the authentication has been activated to said order accepting device.

4. A commodity order issuing and accepting system, comprising:

means for requesting a first electronic document having first input fields for order issuer information and for commodity order issuance information except for an order issuer's payment date from an order issuer side to an order accepter side;

means for transmitting said first electronic document from said order accepter side to said order issuer side;

means for inputting said order issuer information and said commodity order issuance information except for said order issuer's payment date to said first input fields on said order issuer side;

means for transmitting said order issuer information and said commodity order issuance information except for said order issuer's payment date from said order issuer side to said order accepter side;

means for retrieving a transaction condition corresponding to said commodity order issuance information on said order accepter side;

means for transmitting a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date from said order accepter side to said order issuer side;

means for inputting said order issuer's payment date to said second input field on said order issuer side; and

means for transmitting said order issuer's payment date from said order issuer side to said order accepter side,

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date.

5. The commodity order issuing and accepting system as set forth in claim 4, further comprising:

means for calculating a reduced price corresponding to said transaction condition and said order issuer's payment date on said order accepter side.

6. The commodity order issuing and accepting system as set forth in claim 5, further comprising:

means for transmitting a third electronic document on which said reduced price is described and which has means for inputting an authentication from said order accepter side to said order issuer side;

means for activating said means for inputting the authentication on said order issuer side; and

means for transmitting information representing that said means for inputting the authentication has been activated from said order issuer side to said order accepter side.

7. A commodity order accepting apparatus, comprising:

means for receiving a request for a first electronic document having first input fields for order issuer information and for commodity order issuance information except for an order issuer's payment date from an order issuer side,

means for transmitting said first electronic document to said order issuer side;

means for receiving said order issuer information and said commodity order issuance information except for said order issuer's payment date which have been input to said first input fields on said order issuer side from said order issuer;

means for retrieving a transaction condition corresponding to said commodity order issuance information;

means for transmitting a second electronic document on which said transaction condition is described and which has a second input field for said order issuer's payment date to said order issuer side;

means for receiving said order issuer's payment date which have been input to said second input field on said order issuer side from said order issuer side,

wherein said second electronic document comprises a formula for calculating a payment price based on said order issuer's payment date.

8. The commodity order accepting apparatus as set forth in claim 7, further comprising:

means for calculating a reduced price corresponding to said transaction condition and said order issuer's payment date.

9. The commodity order accepting apparatus as set forth in claim 8, further comprising:

means for transmitting a third electronic document on which said reduced price is

described and which has means for inputting an authentication to said order issuer side; and

means for receiving information representing that said means for inputting the

authentication has been activated on said order issuer side from said order issuer side.

10. A commodity order accepting apparatus, comprising:

a receiving module for receiving communications from an order issuing device;

a transmitting module for transmitting communications to the order issuing device; and

a retrieving module,

wherein the receiving module, the transmitting module and retrieving module are

configured such that:

when the receiving module receives a request for a first electronic document comprising

first input fields for accepting order issuer information and for accepting commodity order

issuance information except for an order issuer's payment date from an order issuing device, the

transmitting module transmits said first electronic document to said order issuing device,

when the receiving module receives said order issuer information and said commodity

order issuance information except for said order issuer's payment date from said order issuing

device, the retrieving module retrieves a transaction condition corresponding to said commodity

order issuance information and the transmitting module transmits a second electronic document

on which said transaction condition is described and which has a second input field for said order

issuer's payment date to said order issuing device,

the receiving module receives said order issuer's payment date from said order issuing

device, and

wherein said second electronic document comprises a formula for calculating a payment

price based on said order issuer's payment date.

11. The commodity order accepting apparatus of claim 10, comprising:

a calculating module,

wherein the calculating module is configured to calculate a reduced price corresponding

to said transaction condition and said order issuer's payment date.

12. The commodity order accepting apparatus of claim 11,

wherein the transmitting module is configured to transmit a third electronic document on

which said reduced price is described and which has means for inputting an authentication to

said order issuing device, and

wherein the receiving module is configured to receive information representing that said

means for inputting the authentication has been activated on said order issuing device.

13. The commodity order issuing and accepting method of claim 1, wherein the order issuer's payment date is a proposed payment date.

14. The commodity order issuing and accepting system of claim 4, wherein the order issuer's payment date is a proposed payment date.

15. The commodity order accepting apparatus of claim 7, wherein the order issuer's payment date is a proposed payment date.

16. The commodity order accepting apparatus of claim 10, wherein the order issuer's payment date is a proposed payment date.

17. The commodity order issuing and accepting method of claim 1, wherein the order issuer's payment date is manually entered by a user.

18. The commodity order issuing and accepting system of claim 4, wherein the order issuer's payment date is manually entered by a user.

19. The commodity order accepting apparatus of claim 7, wherein the order issuer's payment date is manually entered by a user.

20. The commodity order accepting apparatus of claim 10, wherein the order issuer's payment date is manually entered by a user.

21. The commodity order issuing and accepting method of claim 1, wherein the first electronic document and the second electronic document are in HTML format.

22. The commodity order issuing and accepting system of claim 4, wherein the first electronic document and the second electronic document are in HTML format.

23. The commodity order accepting apparatus of claim 7, wherein the first electronic document and the second electronic document are in HTML format.

24. The commodity order accepting apparatus of claim 10, wherein the first electronic document and the second electronic document are in HTML format.

25. The commodity order issuing and accepting method of claim 1, wherein the order issuing device and the order accepting device communicate over the internet.

26. The commodity order issuing and accepting system of claim 4, wherein the order issuing device and the order accepting device communicate over the internet.

27. The commodity order accepting apparatus of claim 7, wherein the order issuing device and the order accepting device communicate over the internet.

28. The commodity order accepting apparatus of claim 10, wherein the order issuing device and the order accepting device communicate over the internet.

29. The commodity order issuing and accepting method of claim 1, wherein the transaction condition is a formula related to a commodity transaction.

30. The commodity order issuing and accepting system of claim 4, wherein the transaction condition is a formula related to a commodity transaction.

31. The commodity order accepting apparatus of claim 7, wherein the transaction condition is a formula related to a commodity transaction.

32. The commodity order accepting apparatus of claim 10, wherein the transaction condition is a formula related to a commodity transaction.

33. The commodity order issuing and accepting method of claim 1, wherein the order issuer information is at least one of an order issuer's name, an order issuer's address and an order issuer's telephone number.

34. The commodity order issuing and accepting system of claim 4, wherein the order issuer information is at least one of an order issuer's name, an order issuer's address and an order issuer's telephone number.

35. The commodity order accepting apparatus of claim 7, wherein the order issuer information is at least one of an order issuer's name, an order issuer's address and an order issuer's telephone number.

36. The commodity order accepting apparatus of claim 10, wherein the order issuer information is at least one of an order issuer's name, an order issuer's address and an order issuer's telephone number.

37. A commodity order issuing and accepting method, comprising:

providing an order issuing device capable of electronic communications;

providing an order accepting device capable of electronic communications;

requesting a first electronic document comprising first input fields for accepting order

issuer information comprising information about an order issuer, and for accepting commodity

order issuance information except for said order issuer's payment date from said order accepting

device;

transmitting said first electronic document to said order issuing device;

inputting said order issuer information and said commodity order issuance information

except for said order issuer's payment date into said first input fields on said order issuing

device;

transmitting said order issuer information and said commodity order issuance information

except for said order issuer's payment date to said order accepting device;

retrieving a transaction condition corresponding to said commodity order issuance

information on said order accepting device;

transmitting a second electronic document on which said transaction condition is

described and which has a second input field for said order issuer's payment date to said order

issuing device;

inputting said order issuer's payment date into said second input field on said order

issuing device;

transmitting said order issuer's payment date to said order accepting device, and

wherein said second electronic document comprises a formula for calculating a payment

price based on said order issuer's payment date.

38. The commodity order issuing and accepting method of claim 1, wherein the commodity order issuance information is at least one of a commodity item and a commodity quantity.

39. The commodity order issuing and accepting system of claim 4, wherein the commodity order issuance information is at least one of a commodity item and a commodity quantity.

40. The commodity order accepting apparatus of claim 7, wherein the commodity order issuance information is at least one of a commodity item and a commodity quantity.

41. The commodity order accepting apparatus of claim 10, wherein the commodity order issuance information is at least one of a commodity item and a commodity quantity.

42. The commodity order issuing and accepting method of claim 37, wherein the commodity order issuance information is at least one of a commodity item and a commodity quantity.

43. The commodity order issuing and accepting method of claim 1, wherein the second electronic document comprises fields displaying a regular payment amount and a payment due date, the regular payment amount being due on the payment due date, and

wherein the payment amount and the payment due date are determined by the order accepting device.

44. The commodity order issuing and accepting system of claim 4, wherein the second electronic document comprises fields displaying a regular payment amount and a payment due date, the regular payment amount being due on the payment due date, and

wherein the payment amount and the payment due date are determined by the order accepting device.

45. The commodity order accepting apparatus of claim 7, wherein the second electronic document comprises fields displaying a regular payment amount and a payment due date, the regular payment amount being due on the payment due date, and

wherein the payment amount and the payment due date are determined by the order accepting device.

46. The commodity order accepting apparatus of claim 10, wherein the second electronic document comprises fields displaying a regular payment amount and a payment due date, the regular payment amount being due on the payment due date, and

wherein the payment amount and the payment due date are determined by the order accepting device.

47. The commodity order issuing and accepting method of claim 37, wherein the second electronic document comprises fields displaying a regular payment amount and a payment due date, the regular payment amount being due on the payment due date, and

wherein the payment amount and the payment due date are determined by the order accepting device.

EVIDENCE APPENDIX

Appellant submits, pursuant to 37 C.F.R. § 41.37(c)(1)(ix), that no evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 or any other evidence, other than the prior art references of record, have been relied upon by Appeal in the appeal.

RELATED PROCEEDINGS APPENDIX

No related appeals or interferences before the Board are identified in Section II. Accordingly, no copies of decision rendered by a court or the Board in any proceeding identified about in Section II pursuant to 37 C.F.R. § 41.37(c)(1)(ii) are submitted herewith.